

The Odisha Gazette



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No. 808 CUTTACK, THURSDAY, APRIL 26, 2012/BAISAKHA 6, 1934

HOME (ELECTIONS) DEPARTMENT

NOTIFICATION

The 25th April, 2012

No. VE(A)-82/2012-3211/Elec, - The following Notification No.82/OR-LA/(12/2009)/2012 dated 16th April, 2012 issued by the Election Commission of India, New Delhi is hereby published for general information.

By order,

A.K. Pruseth

Chief Electoral Officer, Odisha (I/c)

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi -110 001

Dated: 16th April, 2012
27, Chaitra, 1934 (Saka)

NOTIFICATION

No.82/OR-LA/(12/2009)/2012:- In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the Judgement and Order of the High Court of Orissa, Cuttack, dated 30.08.2011 in Election Petition No.12 of 2009 filed by Sri B. Dandapani Patro from 129-Sorada Assembly Constituency.

IN THE HIGH COURT OF ORISSA: CUTTACK

B. Dandapani Patro Appellant

-Versus-

Purna Chandra Swain and others..... Respondents

ELPET No.12 of 2009

Sl. No. of Order	Date of Order	ORDER WITH SIGNATURE	Office note as to action (if any), take on Order
37	30.8.2011	<p>A petition has been filed on behalf of the petitioner stating that due to cloudy climate, the senior arguing counsel is suffering from viral fever and is unable to remain present before the Court and a prayer has been made to adjourn the case. The respondents 2 and 3 have filed a Lawyer's Hazira. This Election Petition is pending before this Court since 16.10.2009.</p> <p>A Misc. Case under Order VII, Rule 11 C.P.C. being Misc. Case No.2 of 2010, filed by opp. Party No.1 is pending. Another Misc. Case filed by the said Opp. Party No.2 under Order VI, Rule 16 C.P.C. is also pending and objections have been filed thereto. Notice has been validly served on all the respondents. The petitioner is repeatedly praying for adjournment on each date from 12.8.2010. This Court also adjourned the case on 24.8.2010, even though no steps were taken by the petitioner. On 21.6.2011, as a last chance, the matter was adjourned to 26.7.2011. On 26.7.2011, again the petitioner prayed for time on the ground of illness of the learned counsel. The same ground has been repeated in all the petitions.</p> <p>I am, therefore, constrained to presume that the petitioner probably has no interest in prosecuting this Election Petition. While rejecting the prayer for adjournment, the Election Petition is dismissed for default.</p> <p style="text-align: right;">Sd/- M.M.Das. J</p>	

By order,

(HARBANS SINGH)
SECRETARY
ELECTION COMMISSION OF INDIA